

Message Text

SECRET

PAGE 01 USBERL 00635 031205Z
ACTION EUR-08

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TO AMEMBASSY BONN
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S E C R E T USBERLIN 0635

LIMDIS

BONN FOR GERMAN FROM SEMLER

DEPT. FOR EUR/CE

E.O.11652: GDS
TAGS: PFOR PGOV WB US GW UR FR UK
SUBJECT: BERLIN CONTINGENCY PLANNING

REF: A. BONN 2003 (NOTAL) B. 73 STATE 150602; C. 74 USBERLIN 779,
D. 74 BONN 13016

1. WE HAVE LOOKED AT BQD-CC-24 OF 1963 AND REVISION OF
THAT DOCUMENT DONE IN 1973/74 AT THE DIRECTION OF THE
DEPARTMENT (REF B). THIS REVISION WAS PASSED TO BONN
GROUP IN MAY OF 1974 WITH THE CONCURRENCE OF THE US AND
BRITISH MISSIONS BUT WITHOUT COMMENT BY FRENCH MISSION
WHICH SAID IT WAS UNINSTRUCTED AND PREFERRED TO LET THE
FRENCH EMBASSY HANDLE THE MATTER (REF C). IN AUGUST 1974
THE EMBASSY REPORTED THAT THE PAPER HAD BEEN INSERTED
INTO THE BONN GROUP MACHINERY. (REF D). YOU REALIZE THAT BQD
CC-24 COVERED OFFICIAL CIVILAIN ACCESS, NOT MILITARY PATROLS.

2. WE UNDERSTAND FROM TODD BECKER THE DEPARTMENT PASSED
SECRET

SECRET

PAGE 02 USBERL 00635 031205Z

ITS APPROVAL TO BONN SOME WEEKS LATER
BUT WE DO NOT HAVE A RECORD OF THIS
APPROVAL OR APPROVAL BY OTHER GOVERNMENTS.
WHEN THE WORRY OVER THE POSSIBLE INCORPORA-
TION OF EAST BERLIN INTO THE GDR SUBSIDED AFTER THE
GDR'S 25TH ANNIVERSARY, INTERST IN THE BQD-CC-24
DIMINISHED AND THE TWO IMPLEMENTING ANNEXES (B& D)

CONCERNING PROBLING ACTIONS AND ACTUAL COUNTER RES-
TRICIONS WERE NOT DRAFTED.

IN ADDITION, WE THINK THE 1974 VERSION OVERLOOKS
ANOTHER AREA WHERE LIMITED BUT EFFECTIVE COUNTER MEASURES
COULD BE APPLIED (PARA 6, BELOW).

3. IN GENERAL, WE THINK THE BASIC PRINCIPLE OF THE
1963 AND 1974 VERSIONS, THAT SOVIET-SANCTIONED ACTION
AGAINST ALLIED PRESENCE IN EAST BERLIN SHOULD BE
COUNTERED BY CAREFULLY MODULATED ACTION AGAINST SOVIET
PRESENCE IN WEST BERLIN, REMAINS
VALID. IT WOULD HIT SOVIETS AT SENSITIVE POINT; IT
WOULD BE DIRECTLY RELATED TO PROVOCATION, AND, SHORT
OF BRINGING IN BILATERAL CONSIDERATIONS OUTSIDE IMMEDIATE
BERLIN CONTEXT WHICH IS ALWAYS DIFFICULT, IT IS ABOUT
ONLY MEANINGFUL LEVERAGE WE HAVE.

4. LIKE YOU, WE CONSIDER THAT QA HAS MADE SOME OF
THE 1963 PLAN'S SPECIFIC POINTS OBSOLETE, BUT WE THINK
THE 1974 PLAN IS OVERLY CAUTIOUS IN ITS TREATMENT OF
QA-SANCTIONED ORGANIZATIONS . GIVEN ABRASIMOV'S OFF-
HAND TREATMENT OF ACTIVITIES OF SOVIET FLAG TOURS
IN WEST BERLIN, WE THINK SOVIETS MIGHT WELL BE WILLING
TO ACCEPT RESTRICTION ON THEIR RIGHT TO SEND MILITARY
FLAG TOURS TO WEST BERLIN IN TURN FOR RESTRICTION ON
OUR ACCESS TO EAST BERLIN, PARTICULARLY IF FOR OUR
OWN GOOD REASONS WE DID NOT DISTURB THEIR TRIPS TO
REMAINING FOUR POWER INSTITUTIONS -- BASC AND SPANDAU
PRISON. THEY HAVE, VIA QA, SUCCEEDED IN BUILDING UP A
SECRET

SECRET

PAGE 03 USBERL 00635 031205Z

VERY SUBSTANTIAL CIVILIAN PRESENCE IN WEST BERLIN
WHICH SHOWS THEIR FLAG (AND MUCH ELSE) FAR MORE EFFECTIVELY
THAN MILITARY FLAG TOURS.

5. ON OTHER HAND, IT IS THIS VERY CIVILIAN PRESENCE
ESTABLISHED UNDER QA AND APPARENTLY OF GREAT IMPORTANCE
TO SOVIETS WHICH GIVES US MORE LEVERAGE, IF WE HAVE
WILL TO USE IT, THAN WE DID IN 1960'S. WE DO NOT
SUGGEST THAT FORMAL CLOSURE OF SUCH QA-SANCTIONED
OFFICES AS CONSULATE GENERAL, OFFICE OF FOREIGN TRADE
ASSOCIATIONS , INTOURIST, AEROFLOT, AND WAREHOUSES
BE CONSIDERED SERIOUSLY IN CONNECTION WITH PRESENT CONTIN-
GENCY PLANNING. THAT WOULD BE A DIRECT, CLEAR VIOLATION
OF QA, HOWEVER JUSTIFIED BY SOVIET ACTION IN EAST
BERLIN, AND WOULD ALMOST SURELY LEAD TO UNRAVELING OF
OTHER PARTS OF AGREEMENT AND PROBABLY TO SOVIET CALL
FOR CONSULTATIONS LEADIN TO A RENEGOTIATION WHICH WOULD
NOT BE IN OUR INTERESTS.

6. THERE IS, HOWEVER, A MORE SUBTLE WAY. QA COMMITS US TO ALLOW ESTABLISHMENT AND OPERATION OF THESE SOVIET OFFICES AND SETS LIMIT OF PERSONNEL THAT MAY BE ASSIGNED TO EACH. IT ALSO SAYS THAT " ALLIED AND GERMAN LEGISLATION AND REGULATIONS WILL APPLY..." PURSUANT TO THESE LAWS AND REGULATIONS, INCLUDING RELEVANT PARTS OF VIENNA CONVENTION ON CONSULAR RELATIONS WHICH IS IN FORCE IN WESTERN SECTORS AND ALLIED KOMMANDATURA LAW NO. 8, WE RETAIN AUTHORITY TO DECLARE ANY INDIVIDUAL PERSONA NON GRATA OR TO EXPEL HIM FROM BERLIN. WE CAN ENVISAGE A GRADUATED ALLIED RESPONSE INCLUDING FOR EXAMPLE, RESTRICTION ON SOVIET FLAG TOURS AS EARLY RESPONSE TO ALLIED DIFFICULTIES (AFTER DIPLOMATIC PROTESTS) AND THEN, IF DIFFICULTIES CONTINUE (A) SCRUPULOUS ENFORCEMENT OF TRAFFIC REGULATIONS ON SOVIETS IN WSB; (B) ACTION AGAINST ONE OR MORE MEMBERS OF NON-QA-LISTED OFFICES (TASS, SOVEXPORTFILM, TEMA, AND NOVOSTI); (C) CLOSING THOSE OFFICES;

SECRET

SECRET

PAGE 04 USBERL 00635 031205Z

(D) DECLARING ONE OR MORE MEMBERS OF CONSULATE GENERAL PERSONA NON GRATA AND EXPELLING ONE OR MORE MEMBERS OF QA-LISTED OFFICE OF FOREIGN TRADE ASSOCIATIONS, INTOURIST AND AEROFLOT(OR REFUSING TO APPROVE A PENDING APPLICATION FOR A NEW MEMBER OF THESE OFFICES); (E) CAREFUL CONTROLS ON ENTRY INTO WSB, AS ENVISAGED IN THE 1974 PLAN, TO PREVENT REAPPEARANCE OF EXPELLED PERSONS; AND (F) CONTINUING TO DECLARE MEMBERS OF CONSULATE GENERAL PERSONAE NON GRATA AND TO EXPEL MEMBERS OF OTHER OFFICES (OR REFUSING TO APPROVE NEW MEMBERS) UNTIL, IF NECESSARY, THOSE OFFICES WERE REDUCED TO SKELETON STAFF.

7. SOVIETS WOULD, OF COURSE, HAVE RIGHT TO NOMINATE REPLACEMENTS FOR PERSONNEL DECLARED PERSONAE NON GRATA OR EXPELLED, BUT WE COULD DELAY APPROVALS OR THROW OUT PEOPLE SHORTLY AFTER THEY ARRIVED SO THAT EFFECTIVELY OFFICES WOULD FIND THEIR OPERATIONS SEVERLY RESTRICTED.

8. ADVANTAGES OF SUCH A CONTINGENCY PLAN INCLUDE POSSIBILITY IT OFFERS TO APPLY AND INCREASE PRESSURE GRADUALLY IN ACCORDANCE WITH CIRCUMSTANCES AND FACT THAT IT WOULD BE FAR EASIER TO TURN AROUND THAN A POLICY ENVISAGING FORMAL CLOSURE OF OFFICES SANCTIONED BY QA. IF SOVIETS RELENTED ON OUR EAST BERLIN ACCESS, WE COULD SIMPLY ALLOW SOVIETS TO RETURN THEIR OFFICES TO FULL STRENGTH; WE WOULD HAVE BEEN ACTING WITHIN OUR LEGAL AUTHORITY IN WEST BERLIN, AND SOVIETS WOULD NEVER FORMALLY HAVE BEEN DEPRIVED OF THEIR QA RIGHTS. ALSO , ACTIONS GEOGRAPHICALLY CONFINED TO BERLIN OFFER THE SOVIETS (AND WASHINGTON) GRACEFUL WAY TO BACK AWAY

FROM MATTER BY CALLING IT " LOCAL MISUNDERSTANDING".
IN ADDITION , A RELUCTANT WASHINGTON MIGHT BE SPARED
HAVING TO FACE FIRM ACTIONS IN THE SOVIET-US BILATERAL
AREA. A RELATED STEP WHICH WE MIGHT CONSIDER EITHER AS
AN ALTERNATIVE TO 8(B) OR 6(C) OR AS AN ADDITIONAL
SECRET

SECRET

PAGE 05 USBERL 00635 031205Z

MEASURE WOULD BE THE IMPOSITION OF TIGHT VISA CONTROLS
ON RESIDENT SOVIETS OR VISITORS FOR MORE THAN A DAY TO
WEST BERLIN. WE DO RETAIN CONTROL OVER THE CONDITIONS
UNDER WHICH SOVIETS MAY VISIT OR RESIDE IN WEST BERLIN.
INSISTENCE ON A VALID VISA ISSUED BY THE FRG EMBASSY
IN MOSCOW WOULD BE PERFECTLY LEGAL COUNTER-MEASURE AND
WOULD GIVE THE SOVIETS A HOBSON'S CHOICE BETWEEN A
STEP ACKNOWLEDGING THE FRG'S RIGHT TO REPRESENT BERLIN
ABROAD OR DENUING THEIR ESTABLISHMENTS IN WEST BERLIN.

9. WE DO AGREE THAT IT WOULD PROBABLY BE PREMATURE TO
SEEK FORMAL QUADRIpartite REVIEW OF BQD-CC-24 AT THIS
TIME, BUT WE WILL PROBABLY WANT TO SHARE ABOVE THINKING
WITH OUR ALLIES HERE IN DUE COURSE AND WOULD APPRECIATE
YOUR VIEWS.
GEORGE

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NNN

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